

FISCAL YEAR 2015

**TRULY AGREED AND FINALLY PASSED
(AFTER VETO)**

PUBLIC DEFENDER

HOUSE BILL 2012

VETOES: *Section 12.400 (Contractual Services for the Office of the State Public Defender)*

**97th General Assembly
Second Regular Session**

Prepared by Senate Appropriations Committee Staff

Public Defender Commission - Director's Office/Legal Services - Section 12.400

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The Director's Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

Legal Base: Chapter 600 RSMo
Funding Source: General Revenue
FY 2014 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:
No Changes

GOVERNOR:
No Changes

HOUSE:
No Changes

SENATE:
No Changes

CONFERENCE:
No Changes

VETO: \$3,472,238 General Revenue increase for caseload relief.

Committee Markup Annual

	PUBLIC DEFENDER COMMISSION												Regular House Bills	
	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
CORE														
PERSONAL SERVICES	27,472,186	574.81	28,347,275	585.13	28,347,275	585.13	28,347,275	585.13	28,347,275	585.13	28,347,275	585.13	28,347,275	585.13
GENERAL REVENUE	27,472,186	574.81	28,347,275	585.13	28,347,275	585.13	28,347,275	585.13	28,347,275	585.13	28,347,275	585.13	28,347,275	585.13
EXPENSE & EQUIPMENT	5,128,289	0.00	3,889,012	0.00	3,889,012	0.00	3,889,012	0.00	3,889,012	0.00	3,889,012	0.00	3,889,012	0.00
GENERAL REVENUE	5,128,289	0.00	3,889,012	0.00	3,889,012	0.00	3,889,012	0.00	3,889,012	0.00	3,889,012	0.00	3,889,012	0.00
TOTAL	\$32,600,475	574.81	\$32,236,287	585.13	\$32,236,287	585.13	\$32,236,287	585.13	\$32,236,287	585.13	\$32,236,287	585.13	\$32,236,287	585.13

Pay Plan FY14-Cost to Continue - 0000014														
PERSONAL SERVICES	0	0.00	0	0.00	146,283	0.00	146,283	0.00	146,283	0.00	146,283	0.00	146,283	0.00
GENERAL REVENUE	0	0.00	0	0.00	146,283	0.00	146,283	0.00	146,283	0.00	146,283	0.00	146,283	0.00
TOTAL	\$0	0.00	\$0	0.00	\$146,283	0.00	\$146,283	0.00	\$146,283	0.00	\$146,283	0.00	\$146,283	0.00
Cost to continue the FY 2014 pay plan.														

Pay Plan FY15-COLA - 0000015														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	391,786	0.00	130,595	0.00	130,595	0.00	130,595	0.00

Committee Markup Annual

	PUBLIC DEFENDER COMMISSION												Regular House Bills	
	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Pay Plan FY15-COLA - 0000015														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	391,786	0.00	130,595	0.00	130,595	0.00	130,595	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	391,786	0.00	130,595	0.00	130,595	0.00	130,595	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$391,786	0.00	\$130,595	0.00	\$130,595	0.00	\$130,595	0.00
General structure adjustment for all state employees. The Governor recommends 3% for the second half of Fiscal Year 2015 (starts January 1, 2015). The House recommends 1% beginning January 1, 2015.														

Caseload Relief - 1151001														
PERSONAL SERVICES	0	0.00	0	0.00	5,304,912	154.50	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	5,304,912	154.50	0	0.00	0	0.00	0	0.00	0	0.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	5,449,578	0.00	0	0.00	0	0.00	3,472,238	0.00	3,472,238	0.00
GENERAL REVENUE	0	0.00	0	0.00	5,449,578	0.00	0	0.00	0	0.00	3,472,238	0.00	3,472,238	0.00
TOTAL	\$0	0.00	\$0	0.00	\$10,754,490	154.50	\$0	0.00	\$0	0.00	\$3,472,238	0.00	\$3,472,238	0.00
This request includes \$3,472,238 in additional funding (combined with \$2,278,012 existing core) to contract out all conflict cases. This request also includes \$6,582,252 to fund the first year of a 4-year phase-in to add 206.00 staff attorney FTE and 412.00 legal assistant FTE to manage caseload. The TAFP appropriation contains only the additional funding to contract out all conflict cases.														

Juvenile Representation - 1151002														
PERSONAL SERVICES	0	0.00	0	0.00	3,296,256	96.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	3,296,256	96.00	0	0.00	0	0.00	0	0.00	0	0.00

Committee Markup Annual

	PUBLIC DEFENDER COMMISSION												Regular House Bills	
	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Juvenile Representation - 1151002														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	792,800	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	792,800	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$4,089,056	96.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Information Technology Update - 1151003														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	254,820	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	254,820	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$254,820	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Missouri Bar Dues - 1151004														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	22,125	0.00	33,435	0.00	33,435	0.00	33,435	0.00	33,435	0.00

Committee Markup Annual

PUBLIC DEFENDER COMMISSION

Regular House Bills

	FY 2013 ACTUAL		FY 2014 BUDGET		FY 2015 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		SENATE RECOMMENDED		TRULY AGREED FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Missouri Bar Dues - 1151004														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	22,125	0.00	33,435	0.00	33,435	0.00	33,435	0.00	33,435	0.00
GENERAL REVENUE	0	0.00	0	0.00	22,125	0.00	33,435	0.00	33,435	0.00	33,435	0.00	33,435	0.00
TOTAL	\$0	0.00	\$0	0.00	\$22,125	0.00	\$33,435	0.00	\$33,435	0.00	\$33,435	0.00	\$33,435	0.00

Juvenile Life Without Parole - 1151005														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	1,260,000	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	1,260,000	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$1,260,000	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Committee Markup Annual	PUBLIC DEFENDER COMMISSION												Regular House Bills	
	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Office Space Requirements - 1151006														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	1,901,438	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	1,901,438	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$1,901,438	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Public Defender Commission – Grants - Section 12.400

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This section provides appropriation authority if grants are received from the federal government.

Legal Base: Chapter 600 RSMo
Funding Source: Federal Funds
FY 2014 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

No Changes

Committee Markup Annual

	PUBLIC DEFENDER COMMISSION												Regular House Bills	
	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
GRANTS - 15131C														
CORE														
PROGRAM-SPECIFIC	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
FEDERAL FUNDS	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
TOTAL	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00
TOTAL - GRANTS	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00

Public Defender Commission – Legal Defense and Defender Fund - Section 12.400

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This section reflects personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).

Legal Base: Chapter 600 RSMo

Funding Source: Legal Defense and Defender Fund

FY 2014 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

No Changes

Committee Markup Annual	PUBLIC DEFENDER COMMISSION												Regular House Bills	
	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
LEGAL DEFENSE & DEFENDER FUND - 15141C														
CORE														
PERSONAL SERVICES	130,179	1.98	130,726	2.00	130,726	2.00	130,726	2.00	130,726	2.00	130,726	2.00	130,726	2.00
OTHER FUNDS	130,179	1.98	130,726	2.00	130,726	2.00	130,726	2.00	130,726	2.00	130,726	2.00	130,726	2.00
EXPENSE & EQUIPMENT	1,173,269	0.00	2,795,756	0.00	2,762,408	0.00	2,762,408	0.00	2,762,408	0.00	2,762,408	0.00	2,762,408	0.00
OTHER FUNDS	1,173,269	0.00	2,795,756	0.00	2,762,408	0.00	2,762,408	0.00	2,762,408	0.00	2,762,408	0.00	2,762,408	0.00
PROGRAM-SPECIFIC	21,884	0.00	55,000	0.00	88,348	0.00	88,348	0.00	88,348	0.00	88,348	0.00	88,348	0.00
OTHER FUNDS	21,884	0.00	55,000	0.00	88,348	0.00	88,348	0.00	88,348	0.00	88,348	0.00	88,348	0.00
TOTAL	\$1,325,332	1.98	\$2,981,482	2.00	\$2,981,482	2.00	\$2,981,482	2.00	\$2,981,482	2.00	\$2,981,482	2.00	\$2,981,482	2.00

Pay Plan FY14-Cost to Continue - 0000014														
PERSONAL SERVICES	0	0.00	0	0.00	500	0.00	500	0.00	500	0.00	500	0.00	500	0.00
OTHER FUNDS	0	0.00	0	0.00	500	0.00	500	0.00	500	0.00	500	0.00	500	0.00
TOTAL	\$0	0.00	\$0	0.00	\$500	0.00	\$500	0.00	\$500	0.00	\$500	0.00	\$500	0.00

Cost to continue the FY 2014 pay plan.

Pay Plan FY15-COLA - 0000015														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	1,805	0.00	601	0.00	601	0.00	601	0.00

Committee Markup Annual

PUBLIC DEFENDER COMMISSION

Regular House Bills

	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
LEGAL DEFENSE & DEFENDER FUND - 15141C														
Pay Plan FY15-COLA - 0000015														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	1,805	0.00	601	0.00	601	0.00	601	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	1,805	0.00	601	0.00	601	0.00	601	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$1,805	0.00	\$601	0.00	\$601	0.00	\$601	0.00
General structure adjustment for all state employees. The Governor recommends 3% for the second half of Fiscal Year 2015 (starts January 1, 2015). The House recommends 1% beginning January 1, 2015.														

TOTAL - LEGAL DEFENSE & DEFENDER FUN	\$1,325,332	1.98	\$2,981,482	2.00	\$2,981,982	2.00	\$2,983,787	2.00	\$2,982,583	2.00	\$2,982,583	2.00	\$2,982,583	2.00
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Public Defender Commission – Extraordinary Expenses and Conflict Cases - Section 12.400

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This section provides monies to meet the costs associated with conflict case reassignments and extraordinary expenses related to providing representation in criminal cases. The appropriation is used to provide for the defense of criminal cases and expenses such as expert witnesses, depositions and other expenses arising from changes of venue.

There are more than 300 homicide cases assigned to the system each year and more than 750 conflict of interest cases which must be reassigned each to the private bar.

Legal Base: Chapter 600 RSMo
Funding Source: General Revenue
FY 2014 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

Core Transfer: \$700,000 General Revenue PSD from the Judiciary for a pilot program for contract legal representation

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

No Changes

Committee Markup Annual	PUBLIC DEFENDER COMMISSION												Regular House Bills	
	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
EXTRAORDINARY EXPENSE/CONFLIC - 15151C														
CORE														
EXPENSE & EQUIPMENT	3,721,070	0.00	3,021,071	0.00	3,021,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00
GENERAL REVENUE	3,721,070	0.00	3,021,071	0.00	3,021,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00
TOTAL	\$3,721,070	0.00	\$3,021,071	0.00	\$3,021,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00
TOTAL - EXTRAORDINARY EXPENSE/CONFLI	\$3,721,070	0.00	\$3,021,071	0.00	\$3,021,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00

Public Defender Commission – Debt Offset Escrow - Section 12.400

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This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

Legal Base: Chapter 600 RSMo

Funding Source: Escrow Account between the Taxpayer and the Dept of Revenue for Missouri State Public Defender Income Tax Interceptions

FY 2014 Withhold:

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

No Changes

Committee Markup Annual	PUBLIC DEFENDER COMMISSION												Regular House Bills	
	FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
DEBT OFFSET ESCROW FUND - 15161C														
CORE														
PROGRAM-SPECIFIC	758,990	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00
OTHER FUNDS	758,990	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00
TOTAL	\$758,990	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00
TOTAL - DEBT OFFSET ESCROW FUND	\$758,990	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00